

Read the first and second time, and committed to a committee of the whole House, on Wednesday next.

To incorporate a company for opening the canal in the city of Washington.



Sec. 1. BE it enacted by the senate and house of representatives of
the United States of America, in congress assembled, That

or any of them be, and they
are hereby appointed, commissioners to open, or cause to be opened,
a book for receiving and entering subscriptions for raising a capital
stock not exceeding thousand dollars, in shares
of one hundred dollars each, for the purpose of opening the canal
to communicate from the Potomac river, to the Eastern Branch
thereof, through a part of the city of Washington, and that
months notice be given in one of the news-papers printed in Wash-
ington, George-town and Alexandria, of the time and place of opening

13 the said subscription book, and that the same be kept open until the
 14 sum of thousand dollars be subscribed: *Provided*,
 15 That no subscription shall be received unless the sum of
 16 dollars be paid into the hands of the person authorized to receive
 17 the same, on each share subscribed for.

1 Sec. 2. *And be it further enacted*, That as soon as the aforesaid
 2 sum of thousand dollars be subscribed, the
 3 said commissioners, or any of them, shall call a meet-
 4 ing of the stockholders at the city of Washington, by advertisement
 5 in one of the news-papers printed in Washington, George-town and
 6 Alexandria, appointing a fit and convenient time and place of meet-
 7 ing; and the said stockholders shall proceed in person, or by proxy,
 8 to the election by ballot of a president and directors
 9 for conducting the said undertaking, and managing the business of
 10 the company, for and during the term of one year from the time of
 11 their appointment.

1 Sec. 3. *And be it further enacted*, That the said stockholders and
 2 their successors, from the time of the said first meeting, shall be,
 3 and they are hereby declared to be, incorporated by the name of
 4 "The Washington Canal Company," and by that name may sue
 5 and be sued, implead and be impleaded, answer and be answered,
 6 and may make all necessary bye-laws and regulations for the pro-
 7 per management of the business of the company: *Provided*, The
 8 same be not contrary to the laws of the United States, or the laws
 9 in force in the district of Columbia.

6 for opening the canal aforesaid, and the forks thereof, and out of
 7 the monies arising from subscriptions, wharfage and tolls, to pay
 8 for the same, and to repair and improve the said canal, locks and
 9 other works necessary thereto, and to defray all incidental charges,
 10 and also to appoint a treasurer, clerk, and such other officers, toll
 11 gatherers, managers and servants, as they shall judge requisite, and
 12 to settle their respective wages.

1 Sec. 6. *And be it further enacted*, That the treasurer of the said
 2 company shall, before he acts as such, give bond to the company in
 3 such penalty, and with such security, as the said president and direc-
 4 tors shall direct, conditioned for the faithful performance of the du-
 5 ties of his office.

1 Sec. 7. *And be it further enacted*, That the said president and di-
 2 rectors so elected, and their successors, shall have full power and
 3 authority to demand and receive of the stockholders, in equal pro-
 4 portions, the remaining nine tenths of the shares, from time to time,
 5 as they shall judge necessary ; and if any of the stockholders shall
 6 neglect or refuse to pay their proportions, within one month after
 7 the same shall have been ordered, the share or shares of such de-
 8 faulters shall be forfeited : Provided, that notice shall be given, by
 9 advertisement in one of the newspapers printed in Washington,
 10 Georgetown and Alexandria, of the time when the same shall be
 11 ordered to be paid.

1 Sec. 8. *And be it further enacted*, That the said company shall
 2 not begin to collect wharfage or tolls, until the canal is made navi-
 3 gable for boats and scows drawing three feet water, to pass through

4 the same from the Potomac river to the eastern branch thereof:
 5 And if at any time the said canal shall become obstructed, so that
 6 boats and scows drawing three feet water cannot pass through the
 7 same, from the Potomac river to the eastern branch thereof, it shall
 8 not be lawful for the said company to collect any wharfage or tolls,
 9 until such obstruction shall have been removed.

1 *Sec. 9. And be it further enacted,* That every president and di-
 2 rector, before he acts as such, shall take an oath or affirmation, that
 3 he will well and faithfully discharge the duties of his office, and any
 4 of the directors, with the president, shall constitute
 5 a quorum for transacting any business of the company.

1 *Sec. 10. And be it further enacted,* That the shares in the said
 2 company shall be deemed personal and not real property, and trans-
 3 ferable in such manner as the company shall direct; and that the
 4 shares held by any individual shall be liable to be attached or taken
 5 by fieri facias, to satisfy the debts due from any such individual,
 6 in like manner as other personal property may be.

1 *Sec. 11. And be it further enacted,* That there shall be a general
 2 meeting of the stockholders on the first Monday in June, and the
 3 first Monday in December, in every year, in the city of Washing-
 4 ton, to which meeting the president and directors shall make a re-
 5 port, and render distinct and just accounts of all their proceedings;
 6 and on finding them fairly and justly stated, the stockholders then
 7 present, or a majority of them, shall give a certificate thereof, and
 8 at such half yearly general meetings, after leaving in the hands of
 9 the treasurer such sum as shall be judged necessary for repairs, im-

10 improvements or contingent charges, an equal dividend of all the nett
11 profits arising from the wharfage and tolls hereby granted, shall be
12 ordered and made to and among all the stockholders of the said com-
13 pany, in proportion to their several shares: *Provided*, That if the
14 nett profits shall, in any year, exceed fifteen per centum on the sum
15 actually expended by the said company, in opening the said canal and
16 completing the same, the fifteen per centum only of the nett profits
17 shall be divided among the stockholders, and the excess shall be paid
18 to the mayor and city council of the city of Washington for the use
19 of the said city.

1 Sec. 12. *And be it further enacted,* That for and in considera-
2 tion of the expenses the said stockholders shall incur in cutting the
3 canal, erecting locks, and in maintaining and keeping the same in
4 repair, and in the enlargement and improvement of the same, the
5 said company is hereby authorized to collect on all articles and ma-
6 terials landed on each side of the canal from on board any boat or
7 scow, or placed on either side of the said canal for the purpose of
8 being taken therefrom by any boat or scow, according to such rates
9 as the president and directors may, from time to time, by their bye-
10 laws, order and direct: *Provided*, That the said rates shall, at no
11 time hereafter, and in no particular, exceed the rates which are, or
12 may be established by the owners of wharves in the city of Wash-
13 ington: And it shall and may be lawful for the said company to de-
14 mand and receive, at the most convenient place, for all articles car-
15 ried through the said canal, tolls not exceeding the following rates,
16 that is to say: For each loaded boat or scow, cents;

17 for each unloaded boat or scow, cents ; for each
 18 barrel of flour, cents ; for each barrel of beef or
 19 pork, cents ; for each barrel of whiskey,
 20 cents ; for each hogshead of tobacco, cents ; and up-
 21 on all other articles, packages and commodities, one sixth part of
 22 the amount of tolls allowed by law to be received by the Potomac
 23 Company at the Great Falls of the river Potomac ; and the said
 24 company shall also have the exclusive right to establish a packet-
 25 boat, or boats, upon the said canal for carrying passengers, and no
 26 other packet-boat, or boats, but such as are established or permit-
 27 ted by them, shall be allowed to carry passengers through the
 28 same for hire.

1 Sec. 13. *Provided always, and be it further enacted,* That all
 2 public property shall pass through the said canal free of toll, and
 3 also, that, in case the said canal, and one of the forks thereof, shall
 4 not be completed within the term of seven years from the passage
 5 of this act, in such manner as to admit boats and scows drawing
 6 three feet water to pass through the same, that the said canal shall
 7 revert to the United States, and all right and authority hereby grant-
 8 ed to the said company shall cease and determine.

1 Sec. 14. *And be it further enacted,* That the said company shall,
 2 from time to time, whenever and wherever the mayor and city coun-
 3 cil shall order and direct, suffer bridges to be erected across the ca-
 4 nal, and shall suffer the same when erected to be repaired : *Pro-*
 5 *vided,* that every bridge so erected shall be at least six feet above
 6 high water mark ; *and provided also,* that when the nett proceeds of

7 the wharfage and tolls allowed by this act to be collected, shall ex-
8 ceed ten per centum per annum on the sum actually expended, then
9 one half of the excess shall be paid to the mayor and city council,
10 whenever and so long as they may judge necessary for the purpose
11 of defraying the expense of erecting such bridges across the said
12 canal, as the said mayor and city council may order and direct, and
13 keeping the bridges which may have been erected in good order
14 and repair.

1 Sec. 15. *And be it further enacted,* That the president and direc-
2 tors of said company, after the said canal shall be opened and made
3 passable for boats and scows drawing three feet water, shall annu-
4 ally, in the month of January, lay before the congress of the Uni-
5 ted States a just and true account of their receipts and expenditures,
6 with a statement of the clear profits thereof.